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a supply of drinking straws;  
a conveyor surface for conveying the stand up bags; and  
a transfer means constructed and arranged for transferring the drinking straws onto the stand up bags,  
wherein each of the stand up bags is conveyed having one of the opposite side surfaces resting on the conveyor surface, and wherein a drinking straw is applied to the other of the opposite side surfaces of each of the stand up bags.

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6. (Amended) An apparatus for applying drinking straws to receiving surfaces of stand up bags, the apparatus comprising:

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stand up bags having a bottom surface, a top end formed by a sealing line closing a filling opening, and at least two opposite non-planar side surfaces interconnecting the bottom surface and the top end and forming an angle of less than 45°;

a supply of drinking straws;  
a conveyor surface for conveying the stand up bags; and  
a transfer means constructed and arranged for transferring the drinking straws onto the stand up bags,

wherein each of the stand up bags is conveyed having one of the opposite non-planar side surfaces resting on the conveyor surface, and wherein a drinking straw is applied to the other of the opposite non-planar side surfaces of each of the stand up bags.

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#### REMARKS

Claims 1-6 were pending in the application. By this paper, claims 1, 5, and 6 have been amended and, thus, claims 1-6 remain pending. Reconsideration and withdrawal of the rejections are hereby respectfully solicited in view of the foregoing amendments and the following remarks.

#### Claim Rejections - 35 U.S.C. §112

Claims 1-4 and 6 have been rejected under 35 U.S.C. §112, second paragraph, as indefinite. Specifically, claim 1 includes the phrase "can be" with reference to the stand up